

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**ELLEN K O'HOLLEARN**  
Claimant

**APPEAL NO: 09A-UI-17261-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TARGET CORPORATION**  
Employer

**OC: 10/18/09  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit  
871 IAC 24.25(21) – Dissatisfaction of the Work Environment

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated November 4, 2009, reference 01, that held she voluntarily quit employment without good cause on July 28, 2009, and benefits are denied. A telephone hearing was held on December 22, 2009. The claimant participated. Allie Batenhorst, Manager, participated for the employer. Claimant Exhibits A through D was received as evidence.

**ISSUE:**

The issue is whether the claimant voluntarily quit with good cause attributable to the employer.

**FINDINGS OF FACT:**

The administrative law judge having heard the testimony of the witnesses, and having considered the evidence in the record, finds: The claimant began work on April 30, 2002, and last worked for the employer as a full-time in-stock team member on July 28, 2009. The claimant was one of two to three team members who worked the same shift. The claimant gave two-week notice on July 3, 2009 that she was quitting employment, and submitted it on a voluntary termination request form provided by the employer. She stated she was quitting her job for the reasons listed that her workload was too high, and another team member was not doing the job. The employer accepted claimant's resignation and she last worked on July 18.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

871 IAC 24.25(21) provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:

(21) The claimant left because of dissatisfaction with the work environment.

The administrative law judge concludes that the claimant voluntarily quit employment without good cause attributable to the employer on July 28, 2009 due to job dissatisfaction.

The claimant submitted subjective evidence that she worked more than other team members, and there is no evidence the employer required her to do so. If the employer believed there was merit to the claimant's reasons for quitting, it could have addressed them and kept her as an employee.

**DECISION:**

The department decision dated November 4, 2009, reference 01, is affirmed. The claimant voluntarily quit without good cause attributable to the employer on July 28, 2009. Benefits are denied until the claimant has worked in and is paid wages for insured work, equal to ten times her weekly benefit amount, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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